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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/808,040	03/15/2001	Atsushi Kota	61610255US	3211

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EXAMINER

DINH, DUC Q

ART UNIT PAPER NUMBER

2674

DATE MAILED: 01/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/808,040

Applicant(s)

KOTA ET AL.

Examiner

DUC Q. DINH

Art Unit

2674

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,2,4 and 5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-2,4-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This is response to the Amendment filed on October 12, 2005. Claims 1-2 and 4-5 are pending in the application. An Office Action is provided as follow.

#### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ushigusa (U. S. Patent No. 5,552,703) in view of Imamura (U. S. Patent No. 5,726,677).

4. In reference to claim 1, Ushigusa discloses an image display device (Fig. 1, 4) which comprises a plurality of stripe-like data electrodes (101; A1-An), a light emitting layer (102), and a plurality of stripe-like scanning electrodes (103; B1-Bn) formed on a substrate in sequence, and further comprises an image display portion formed by a plurality of light emitting elements (E1,1-Em,n; Fig. 4) in a matrix form at crossing points between said data electrodes and said scanning electrodes (Fig. 4), and a column driving circuit (1) and a row driving circuit (2) for driving said image display portion by selecting and lighting said light emitting elements: wherein, column driving circuit has a function to control a current flowing in said data electrodes such that a current density of said light emitting element is maintained without changing (col. 2, lines 25-50).

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Ushigusa does not disclose the row driving circuit simultaneously drives more than two of the scanning electrodes and successively lighting horizontal regions in sequence corresponding to the number of scanning electrodes for simultaneously driving the light emitting elements. Imamura discloses a row driving circuit 220 in Fig. 1 for a matrix display such as electroluminescent display (col. 21, lines 65-67) that simultaneously driving more than two of the scanning electrodes (Y1, Y2, Y3 and Y4, Y5, Y6) in horizontal regions (a and b) in sequence corresponding to the number of the scanning electrodes for simultaneously driving said light emitting elements (Fig. 7, column 9, lines 50-58) as claimed.

It would have been obvious for one of ordinary skill in the art at the time of the invention was made to replace the row driving circuit for simultaneously driving more than two scanning electrodes as taught by Imamura to the row driving of Ushigusa because it would provide a multiple line selection drive method whereby plural sequential scan electrodes are simultaneously selected and driven has therefore proposed as means of improving the contrast and reducing flicker for the display system (col. 9, lines 43-46 of Imamura).

Claim 5 is method claim corresponding to the apparatus of claim 1; therefore, is rejected based on the same basis set forth in said claim.

5. Claims 2 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ushigusa (U. S. Patent No. 5,552,703) in view of Imamura (U. S. Patent No. 5,726,677), as applied to claim 1 and further in view of Saito et al (U. S. Patent No. 6,366,026), hereinafter Saito.

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In reference to claim 2, the combination of Ushigusa and Imamura does not disclose the image display portion is divided into plurality of images display portions for display images by at least two image display regions by dividing said display plurality of scanning electrodes into at least two regions. Saito discloses in Fig. 1, an image display portion of a display of is divided into image display regions as claimed.

It would have been obvious for one of ordinary skill in the art at the time of the invention was made to learn the teaching of Saito, i.e.: dividing image display portion into two display regions, in the display as disclosed by Ushigusa and Imamura so that the display is achieved simultaneously scanning in both divided halves of the screen and the writing of one frame of data is faster.

In reference to claim 4, Ushigusa discloses the light emitting element is selected from an EL element as claimed (col. 1, lines 15-20).

#### ***Response to Arguments***

Applicant's arguments filed October 10, 2005 have been fully considered but they are not persuasive.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Ushigusa discloses a driving system and method for driving display matrix

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light emitting device such as organic electroluminescence device (see abstract of Ushigusa) and Imamura discloses the drive apparatus for matrix display can be used in a wide range of matrix display type including electroluminescent display devices (col. 21, lines 63-67 of Imamura). Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention was made to replace the row driving circuit for simultaneously driving more than two scanning electrodes as taught by Imamura to the row driving of Ushigusa for the benefit cited in the rejection as applied to claim 1 above.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., Applicant's invention adjusts the brightness of an image display device without utilizing complicated circuitry such as memory device) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

With respect to the argument "Ushigusa does not disclose or suggest "a current source that control a current flowing in said data electrodes such that current density of said light emitting elements is maintained constant". First, claim 1 only cites a column driving circuit (not a current source) that controls a current flowing in data electrodes such that a current density of said light emitting elements is maintained constant. Second, as cited above in the rejection as applied in claim 1, Ushigusa discloses column driving circuit 2 (Fig. 4) having current source 2 and switches 61-6m to control the constant current source for supplying constant current density for the light emitting devices (a current source: a power supplying circuit whose supply current

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amount is controlled so as to have a desired value i.e. constant value; col. 2, lines 33-35). The supply current amount of each of the current sources  $2_1 - 2_n$  is set to a current amount that is necessary to maintain a state where the device (emitting element) emits the light at a desired instantaneous luminance; therefore, the driving circuitry of Ushigusa controls a current flowing from the constant current source 2 in data electrodes A1 - A<sub>n</sub> such that the current density of the light emitting element E is maintained constant. Which respect to the argument. With respect to the argument "Ushigusa's device is a current driven device and Imamura's device is a voltage driven, see the response to applicant's argument that there is no suggestion to combine the references as above. The rejection is maintained.

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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***Conclusion***


7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DUC Q. DINH whose telephone number is (571) 272-7686. The examiner can normally be reached on Mon-Fri from 8:00.AM-4:00.PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edouard Patrick can be reached on (571) 272-7603. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DUC Q DINH  
Examiner  
Art Unit 2674

DQD  
January 3, 2006

  
**XIAO WU**  
**PRIMARY EXAMINER**